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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,909	02/20/2002	Christoph Schwemler	Mo6846/LeA 33,663	8764
157 - 75	590 06/16/2005		ЕХАМ	INER
BAYER MATERIAL SCIENCE LLC 100 BAYER ROAD			PHASGE, ARUN S	
PITTSBURGH, PA 15205			ART UNIT	PAPER NUMBER
			1753	
			DATE MAILED: 06/16/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

		M /
	Application No.	Applicant(s)
	10/009,909	SCHWEMLER ET AL.
Office Action Summary	Examiner	Art Unit
	Arun S. Phasge	1753
The MAILING DATE of this communication Period for Reply	appears on the cover sheet w	ith the correspondence address
A SHORTENED STATUTORY PERIOD FOR REI THE MAILING DATE OF THIS COMMUNICATIO - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a - If NO period for reply is specified above, the maximum statutory per - Failure to reply within the set or extended period for reply will, by sta Any reply received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b).	N. 1.136(a). In no event, however, may a r reply within the statutory minimum of thir iod will apply and will expire SIX (6) MON tute, cause the application to become AB	reply be timely filed ty (30) days will be considered timely. ITHS from the mailing date of this communication. BANDONED (35 U.S.C. & 133).
Status		•
1) Responsive to communication(s) filed on 22	2 March 2005.	
2a) This action is FINAL . 2b) ⊠ T	his action is non-final.	
3) Since this application is in condition for allow	wance except for formal matt	ers, prosecution as to the merits is
closed in accordance with the practice unde	er Ex parte Quayle, 1935 C.D). 11, 453 O.G. 213.
Disposition of Claims		
4) Claim(s) 10-18 is/are pending in the application	ition.	
4a) Of the above claim(s) is/are without	Irawn from consideration.	
5) Claim(s) is/are allowed.		
6)⊠ Claim(s) <u>10-18</u> is/are rejected.		
7) Claim(s) is/are objected to.		
8) Claim(s) are subject to restriction and	d/or election requirement.	
Application Papers	•	
9) The specification is objected to by the Exam	iner.	
10) The drawing(s) filed on is/are: a) ☐ a	accepted or b) objected to	by the Examiner.
Applicant may not request that any objection to t		•
Replacement drawing sheet(s) including the corr	ection is required if the drawing	(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the	· · · · · · · · · · · · · · · · · · ·	• •
Priority under 35 U.S.C. § 119	. •	
12) Acknowledgment is made of a claim for fore	ian priority under 35 U.S.C. 8	\$ 119(a)-(d) or (f).
a) All b) Some * c) None of:		, (-) (-) . (-)
1.☐ Certified copies of the priority docume	ents have been received	
2. Certified copies of the priority docume		application No
3.☐ Copies of the certified copies of the p		
application from the International Bur		received in this Hattorial Stage
* See the attached detailed Office action for a l		received.
·		
Attachment(s)	∧ □	(070.446)
1) ⊠ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		Summary (PTO-413) s)/Mail Date
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB// Paper No(s)/Mail Date		nformal Patent Application (PTO-152)
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DETAILED ACTION

Claim Rejections - 35 USC \$ 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al. (Murphy), U.S. Patent 6,387,241 in view of Shiota et al. (Shiota), U.S. Patent 6,423,236.

The Murphy patent discloses the claimed method of treating wastewater having organic compounds present in waste water comprising the step of treating the wastewater containing the phenol with ozone (see col. 1, lines 25-42). The reference further discloses the same ranges of pressure, temperature and time period to treat water (see col. 31, lines 1-64).

The patent does not disclose that the wastewater contains common salt and carbonates within the claimed ranges. The Shiota patent is cited to show the contaminants that are usually present in wastewater (see col. 3, lines 14-50, col. 13, line 20-25, col. 12, lines 10-15). The exact concentration of said contaminants varies and would have been obvious to one having ordinary skill in the art.

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Consequently, the invention as a whole would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the disclosure of the Murphy patent, with the teachings of the Shiota patent, because the Shiota patent teaches that such contaminants such as common salt and carbonates are routinely found in wastewater.

Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett of record in view of Murphy et al applied as above.

The Bennett process discloses the claimed method of treating a brine containing solution with ozone to obtain a purified brine.

The reference does not disclose that the brine is contaminated with TOC compounds, which have to be removed by ozone. The Murphy patent is cited to show the treatment of wastewaters that contain TOC within the claimed range and that ozone removes said contaminant to form purified water (see col. 1 and 31).

Accordingly, the invention as a whole would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the disclosure of the Bennett patent with the teachings contained in the Murphy reference, because the Murphy patent teaches that such treatment with ozone will allow the purification of water.

Response to Arguments

Applicant's arguments with respect to claims 10-18 have been considered but are most in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arun S. Phasge whose telephone number is (571) 272-1345. The examiner can normally be reached on MONDAY-THURSDAY, 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1753

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arun 5. Phasge

Primary Examiner

Art Unit 1753